

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts Southern
District of Texas
FILED

January 12, 2023

United States of America)

v.)

Luis Fabian Vela)

COC: USA)

YOB: 1961)

Case No. M-23-0070-M

Nathan Ochsner, Clerk of Court

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Sept. 29, 2022-Oct. 5, 2022 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Title 18, USC Section 2422(b)

Offense Description

Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so

This criminal complaint is based on these facts:

See Attachment A.

☒ Continued on the attached sheet.

Authorized by AUSA Michael Mitchell 1/12/23

Submitted by reliable electronic means, sworn to and
signature attested as per Fed. Rules Cr. Proc. 4.1Date: January 12, 2023 7:40 PMCity and state: McAllen, Texas

/s/ Daron Hines

Complainant's signature

Daron Hines, HSI Special Agent

Printed name and title



Judge's signature

U.S. Magistrate Judge Hon. Nadia S. Medrano

Printed name and title

Attachment "A"

On October 12, 2022, Homeland Security Investigations (HSI) led Rio Grande Valley Child Exploitation Investigations Task Force (RGV CEITF) received an investigative referral from the San Juan Police Department (SJPD). The referral stated that the Pharr-San Juan-Alamo Independent School District Police Department received information regarding the online enticement of a 15-year-old minor child (hereinafter referred to as minor victim #1 "MV1"). The SJPD reported that from on or about September 29, 2022, to on or about October 4, 2022, MV1 sent nude, and sexually explicit images to an adult male in exchange for money through the instant messaging and voice-over-IP service application WhatsApp. RGV CEITF identified Luis Fabian VELA, a 61-year-old adult male, as a suspect.

On January 12, 2023, RGV CEITF contacted VELA at the Hidalgo, Texas Port of Entry as VELA was attempting to enter the United States. In a post Miranda interview, VELA stated that MV1 told him that she was 16 years of age. VELA told HSI Special Agents (SA) that he solicited MV1 for nude and sexually explicit images and videos via WhatsApp in exchanged for money. Vela made these requests after MV1 informed Vela that she was 16 years of age. VELA told HSI SAs that nude images of MV1 were saved in the hidden photo album of his mobile phone. HSI SAs observed several nude images of MV1 saved in VELA's mobile phone. The use of WhatsApp and cellular telephone affects interstate and foreign commerce. Coercing and enticing MV1 to send nude and sexually explicit images through the use of WhatsApp, would constitute receipt and attempted receipt of child pornography, which is a violation of 18 United States Code Section 2252A(a)(2)(A).